

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHRISTOPHER PINKARD,

Plaintiff, Case No. 22-11845
v. Hon. Denise Page Hood

BHAMINI SUDHIR,

Defendant.

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**ORDER ACCEPTING AND ADOPTING THE AUGUST 6, 2024
REPORT AND RECOMMENDATION [34]**

This matter is before the Court on a Report and Recommendation [ECF No. 34] filed by Magistrate Judge Anthony Patti. No Objections have been filed and the time to do so has passed.

The standard of review by the district court when analyzing a Report and Recommendation is set forth in 28 U.S.C. § 636. This Court “shall make a de novo determination of those portions of the report or the specified proposed findings or recommendations to which an objection is made.” 28 U.S.C. § 636(B)(1)(c). Further, the Court “may accept, reject or modify, in whole or in part, the findings or recommendations made by the Magistrate.” *Id.* In order to preserve the right to appeal the Magistrate Judge’s recommendation, a party must file objections to the Report and Recommendation within fourteen (14) days of service of the Report and

Recommendation. Fed. R. Civ. P. 72(b)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Secretary of Health and Human Servs.*, 932 F2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Upon review of the Report and Recommendation, the Court concludes that Defendant had provided enough supporting evidence to render summary judgment appropriate on Plaintiff's Eighth Amendment, deliberate indifference, claim. The Court agrees that Plaintiff failed to establish that Defendant acted with a sufficiently culpable state of mind in rendering medical services to Plaintiff while he was incarcerated in the Michigan Department of Corrections Parnall Correctional Facility (SMT) in Jackson, MI. The Court further agrees that Plaintiff's failure to show that Defendant possessed a sufficiently culpable state of mind, alone, renders summary judgment appropriate.

In light of the foregoing,

IT IS SO ORDERED that Magistrate Judge Anthony Patti's Report and Recommendation [ECF No. 34] is ACCEPTED AND ADOPTED as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [EC No. 23] is GRANTED.

SO ORDERED.

s/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: September 30, 2024

I hereby certify that a copy of the foregoing document was served upon counsel of record or party on September 30, 2024, by electronic and/or ordinary mail.